

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Norfolk Division

In re:

WAVERLY MONTIQUE WILLIAMS, II,

Case No. 12-74729-SCS

Chapter 13

Debtor.

RESPONSE TO MOTION TO ALLOW LATE FILING OF CLAIM

COMES NOW R. Clinton Stackhouse, Jr., Chapter 13 Trustee (the “Trustee”), responding to the Motion to Allow Late filing of Claim of US Bank National Association, as Trustee for Structured Asset Securities Corporation, Mortgage Pass-Through Certificates, Series 2006-EQ1 or present noteholder (the “Movant”). In support of his response, the Trustee states as follows:

1. Waverly Montique Williams, II (the “Debtor”), filed a voluntary petition for relief under Chapter 13 of Title 11 of the United States Code November 8, 2012. Relief was ordered.
2. On November 9, 2012, the Trustee was appointed in this case and continues to serve in that capacity.
3. On December 3, 2012, the Debtor filed his original plan (the “Plan”) which was confirmed by the Court on January 29, 2013.
4. The deadline for filing proofs of claims was March 11, 2013 for general creditors and May 7, 2013 for governmental agencies.
5. On June 14, 2013, the Movant, by counsel, filed a motion requesting that its claim be allowed late (the “Motion”), in the amount of \$17,098.56 for pre-petition arrearages (the

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Chapter 13 Trustee
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“Arrearages”) owed on real property located at 205 Woodhaven Drive, Suffolk, VA 23435 (the “Real Property”).

6. The Plan provides for the Arrearages owed on the Real Property, in the amount of \$14,000.00, to be paid through the Plan.

7. According to a recent review, the funding under the Plan is not sufficient to pay the subject late claim. If the Movant’s claim is allowed the Plan funding must be increased by at least \$2,081.00, resulting in a total funding of \$22,301.00.

8. Based on the above, if the request for the late claim is allowed, then it should be conditioned upon the Debtor filing an amended plan to address the underfunding issues. The Trustee reserves his rights to any amended plan.

WHEREFORE, the Trustee prays that the any order granting the Motion be conditioned as set forth above.

R. Clinton Stackhouse, Jr.
Chapter 13 Trustee

/s/ R. Clinton Stackhouse, Jr.

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of June, 2013, I will electronically file the foregoing Response using the CM/ECF system, which will then send electronic notification of such filing to Amber L. Quick, Esquire, counsel for the debtor and Susan C. Meyer, Esq., counsel for the Movant, and that a true copy was mailed by first class mail, postage pre-paid to:

Waverly Montique Williams, II
205 Woodhaven Drive
Suffolk, VA 23435

/s/ R. Clinton Stackhouse, Jr.
